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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,758	06/25/2003	Yoichi Ohgami	0033-0884P	2343
2292	7590	01/27/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			GESESSE, TILAHUN	
			ART UNIT	PAPER NUMBER
			2684	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/602,758		OHGAMI ET AL.	
	Examiner		Art Unit	
	Tilahun B. Gesesse		2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/25/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2,5-9 and 12 are rejected under 35 U.S.C. 102(b) as being anticipate by Stephens et al (US patent No. 3,955,140).

Claim 1. Stephens teaches a relay device (Mobile radio extension (14) of figure 1) comprising:

Stephens teaches a first signal reception unit (16 of figure 1) receiving a signal from the outside (receive signal from portable transceiver 20 of figure 1).

Stephens teaches a first radio communication unit (8 of figure 1 transmits signal received from portable transceiver 20) transmitting the signal by radio that is received by said first signal reception unit (8 of figure 1 transmits signal received from portable transceiver 20)

Stephens teaches a second radio communication unit (transceiver 6 of figure 1) provided separately from the first radio communication unit and transmission/reception

of the signal by radio (signals provided to the transceiver 6 of figure 1 by first radio communication).

Stephens teaches a detection unit detecting transmission/reception of the signal by said second radio communication unit (column 6, lines 42-65 and figure 2).

Stephens teaches a first inhibition unit inhibiting (auto que logical circuit 92), during a period in which transmission/reception of the signal by the second radio communication unit is detected by the detection unit, transmission of the signal by said first radio communication unit (see figure 3 and column 5, line 46-63 and abstract, column 5, line 65-column 6, line 38 and column 71-24) where transmitting f1 and inhibiting a auto que logic circuit 92 from responding to f2).

Claim 2. Stephens teaches a second signal transmission/reception unit provided separately from said first signal reception unit and transmitting/receiving a signal to/from the outside, wherein the second radio communication unit transmits the signal in transmission/reception response to reception by said second signal (signals are transmitted and received from base station and portable transceiver through relay extension device 14 and figure 1).

Claim 5. Stephens teaches a second inhibition unit inhibiting, when the signal received by said first signal reception unit is a predetermined signal, transmission of the signal by said first radio communication unit (see column 3, line 20-column 4, line 16 and figure 1).

Claims 6 and 9, they are method claims which corresponds to method claim 1 above, Stephens teaches all limitations as explained above in claim 1. Therefore, they are analyzed and rejected for the same reason as set forth in the claim.

Claims 7-8. Stephens teaches a relay program product executed by a relay device (inherently teaches a program being executed by the controller to operate relay device 14)

Stephens teaches a first signal reception unit receiving a signal from the outside, a first radio communication unit transmitting the signal by radio that received by said first signal reception unit and a second radio communication unit provided separately from said first radio communication unit and transmitting/receiving (receive signal from portable transceiver 20 of figure 1).

Stephens teaches signal by radio, said relay device executing said relay program product to perform the steps of: receiving a signal by said first signal reception unit; transmitting said received signal by said first radio communication unit (column 6, lines 42-65 and figure 2).

Stephens teaches detecting transmission/reception of a signal by said second radio communication unit; and inhibiting, during a period in which transmission/reception of the signal by said second radio transmission of communication unit is detected, the signal by said first radio communication unit (see figure 3 and column 5, line 46-63 and abstract, column 5, line 65-column 6, line 38 and column 71-24) where transmitting f1 and inhibiting a auto que logic circuit 92 from responding to f2).

Claim 12, Stephens teaches inhibiting by a second inhibition unit, when the signal received by said first signal reception unit is a predetermined signal, transmission of the signal by said first radio communication unit (see figure 3 and column 5, line 46-63 and abstract, column 5, line 65-column 6, line 38 and column 71-24) where transmitting f1 and inhibiting a auto que logic circuit 92 from responding to f2).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephens in view of Schultheiss (US patent No. 6,151,490).

Claims 3, 10-11. Stephens teaches transmission of the signal by said first radio the period in which communication unit received by said is inhibited by said inhibition unit, the signal first signal reception unit (see figure 3 and column 5, line 46-63 and abstract).

Stephens does not teach storage device. Schultheiss teaches storage device (see column 5, lines 26-40). Stephens and Schultheiss both teaches a relay transceivers , then, it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to modify Stephens relay system , by including

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storage or memory , as taught by Schultheiss, for identify the program and monitor for further interfacing with other device, that way limits the processing time and resource.

Claim 4. Stephens teaches the first radio communication unit transmits the signal stored by said storage unit when transmission/reception of the signal by said second radio communication unit is finished signals are transmitted and received from base station and portable transceiver through relay extension device 14 and figure 1).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882.


The Central FAX Number will change to 571-273-8300. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

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for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4/17/06

TILAHUN GESESSE
PRIMARY EXAMINER